

**CITY OF WOBURN
FEBRUARY 19, 2008 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Denaro	Gately
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Galvin	Raymond

Doherty

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

MAYOR'S COMMUNICATIONS:

A communication entitled Petition for Acceptance of Public Way was received from His Honor the Mayor Thomas L. McLaughlin as follows:

I, the undersigned Mayor of the City of Woburn, hereby petition for acceptance of the following public ways which the city has obtained conveyance of the fee interest:

1. Arthur G. Pernokas Drive as set forth in a plan entitled "Cranberry Estates in Woburn, Mass. – Definitive Subdivision Lot Layout Plan" dated May 12, 1994 and prepared by Commonwealth Engineering Inc., a copy of which is attached hereto.
2. Crossman Road to Loves Lane as set forth in a plan entitled "Crossman Road Plan and Profile – As-Built Plant Shaker Hills Estates Woburn, MA." dated July 25, 2001 and prepared by Commonwealth Engineering Inc., a copy of which is attached hereto.
3. Shaker Hill Lane as set forth in a plan entitled "Shaker Hill Lane Plan and Profile – As-Built Plan Shaker Hills Estates Woburn, MA." dated July 25, 2001 and prepared by Commonwealth Engineering Inc., a copy of which is attached hereto.

s/Mayor Thomas L. McLaughlin

PUBLIC HEARINGS:

On the petition by Boys & Girls Club of Woburn, Inc., Charles Gardner Lane, Woburn, Massachusetts 01801 for a special permit to conduct a six-day carnival from May 13, 2008 to May 18, 2008 at the National Amusements (Showcase Cinemas) site at 25

Middlesex Canal Park. PUBLIC HEARING OPENED. A communication dated February 13, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Boys & Girls Club of Woburn – 25 Middlesex Canal Park-Special Permit to conduct carnival

Dear Mr. Campbell and Members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to forward a favorable recommendation to the City Council, subject to the condition that the applicant comply with Note 14 of the Notes to Section 5.1 of the 1985 Zoning Ordinance as amended.

If Council members have any questions or concerns regarding the above recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by City of Woburn, Engineering Department, Woburn City Hall, 10 Common Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.79 of the 1985 Woburn Zoning Ordinances, as amended, to allow to construction of public restrooms at Library Field. PUBLIC HEARING OPENED. A communication dated February 1, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: City of Woburn – Library Park adjacent to Access Road – To Erect Public Restroom under Section 5.1.79

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on January 29, 2008, the Board voted to send a favorable recommendation to the City Council to allow the erection of a comfort station/public restroom at Library Park.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Extra Space Storage, 15 Olympia Avenue, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.57b of the 1985 Woburn Zoning Ordinances, as amended, to modify a special permit dated February 8, 1989 by modifying the hours of operation to Monday through Sunday 7:00 a.m. to 7:00 p.m. and to allow for

the outside storage of commercial motor vehicles at 15 Olympia Avenue. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 15 Olympia Avenue – Modification of Business Hours & Outside Commercial Motor Vehicles Special Permit – Special Permit Application Dated January 18, 2008 – Previous Department Memo Date February 27, 2007

This office has reviewed the submitted the special permit application for the above referenced location and offers the following comments.

The applicant is seeking a modification of hours of operation and to allow outside storage of commercial vehicles. This offices takes no exception to the modification of hours of operation, however there is no accompanying plan to indicate the location or the number of commercial spaces. A plan showing the location and number of spaces should be submitted for review.

This office will complete its review when the additional information is submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Extra Space Storage - 15 Olympia Avenue – To modify the condition from the February 8, 1989 Special Permit limiting the hours of operation and to allow under Section 5.1(57b) the outside storage of commercial motor vehicles.

Dear Mr. Campbell and members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to send the following recommendation to the City Council regarding the request to modify the Special Permit condition from the February 8, 1989 Special Permit limiting the hours of operation and to allow under Section 5.1(57b) the outside storage of commercial motor vehicles:

1. That the hours of operation required by the 1989 Special Permit be modified from Monday – Saturday 8 A.M. to 5:30 P.M. and Sunday 10 A.M. to 2 P.M. to Monday – Friday 7 A.M. – 7 P.M., Saturday 8 A.M. – 5:30 P.M., and Sunday 10:00 A.M. – 2:00 P.M.; and
2. That the Planning Board sends an unfavorable recommendation to the City Council on the request for outside storage of commercial motor vehicles at the site.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by John Tremblay, 8 Ruthven Avenue, Burlington, Massachusetts 01803 for a special permit to recognize a residential property as a three-family residence at 4-6 Lowell Street. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 4-6 Lowell Street Two Family to a Three Family Dwelling Unit – Special Permit – Special Permit Application Dated January 10, 2008

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The petitioner is seeking permission to allow a two family dwelling unit to a three family dwelling unit. According to the application, it has been taxed as a three family unit but is only recognized by the Building Department as a two family dwelling unit. This office takes no exception to the special permit application as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: John Tremblay - 4-6 Lowell Street – To allow for the existing two-family dwelling into a three-family dwelling unit

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on February 12, 2008, the Board voted to inform the City Council that this matter is more properly handled by the Board of Appeal in accordance with Chapter 40A Section 8 of the Massachusetts General Laws, because no Special Permit Section is identified as allowing conversion of a two-family dwelling into three-family dwelling.

If Council members have any questions or concerns regarding the above recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

A communication dated February 19, 2008 was received from Attorney Daniel S. Braese, 132 Pleasant Street, Woburn, Massachusetts 01801 as follows:

Re: John Tremblay – Application for a Special Permit

Dear Mr. Campbell:

I represent John Tremblay in conjunction with his application for a Special Permit before the City Council scheduled to be heard on Tuesday, February 19, 2008. Please accept this letter as his withdrawal of the application for the Special Permit.

Sincerely, s/Daniel S. Braese, Esq.

On the petition by Verizon New England Inc., 125 High Street, Boston, Massachusetts 02210 for a special permit pursuant to Section 57b of the 1985 Woburn Zoning Ordinances, as amended, to further amend a special permit granted July 15, 1988, as amended February 18, 2005, as amended May 12, 2005 to allow for parking of an additional thirty commercial vehicles for a total of 167 commercial vehicles at 275 Wildwood Avenue. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 275 Wildwood Avenue – Verizon Special Permit – Special Permit Application Dated January 18, 2008 – Plan Dated 1/14/08 – Previous Memo Dated January 21, 2005

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The petitioner is seeking an amendment to a previously approved special permit approved May 12, 2005 to allow an additional 30 vehicles and a proposed leased area. Upon review of the application, this office takes no exception to the special permit application as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Verizon New England - 275 Wildwood Av- To modify the Special Permit pursuant to Section 5.1.57b of the Woburn Zoning Ordinance to allow for parking of an additional 30 commercial vehicles on the Property, for a total of 167 commercial vehicles.

Dear Mr. Campbell and members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to send a favorable recommendation to the City Council regarding the request to modify the Special Permit

for the property at 275 Wildwood Ave. by allowing an additional 30 commercial vehicles on the Property, for a total of 167 commercial vehicles subject to the following condition:

1. That the additional 30 vehicles shall be located within the fenced area on the south side of the existing building shown as the "Existing South Yard" and "New Lease Area" of Drawing C-1 of the plan entitled "Site Plan, Notes" prepared by Juniper Russell and Associates, Inc., dated January 14, 2008..

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Ztek Corporation, 300 West Cummings Park, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.41 of the 1985 Woburn Zoning Ordinances, as amended, to allow research and testing laboratory at 300 West Cummings Park. PUBLIC HEARING OPENED.

On the petition by Michael Colameta and Douglas Lynch, 247 Salem Street, Woburn, Massachusetts 01801 for a special permit to allow three metal storage bins at 247 Salem Street. PUBLIC HEARING OPENED. A communication dated February 12, 2008 was received from Brett F. Gonsalves, Senior Engineer, Engineering Department as follows:

Subject: 247 Salem Street – Outside Storage Bins Special Permit – Special Permit
Application Dated January 4, 2008

This office has reviewed the special permit application for the above referenced location and offers the following comments.

The petitioner is seeking permission to allow 3 storage containers on the property. After reviewing the special permit application, this office takes no exception to the special permit as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated February 15, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Michael Colameta & Douglas Lynch - 247 Salem Street – To allow outside storage of metal storage bins under Section 5.1.57a

Dear Mr. Campbell and members of the City Council:

At the meeting held on February 12, 2008, the Planning Board voted to forward a favorable recommendation to the City Council on the Special Permit application of Michael Colameta & Douglas Lynch, regarding the property at 247 Salem Street, subject to the following conditions:

1. That the storage bins be visually screened from Salem Street; and
2. That the special permit shall be limited to one (1) year from the date of issuance.

The Board made its determination on the fact that the storage bins had been in place since at least 1992 and that this would allow the petitioners time to obtain a more permanent solution.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

CITIZEN'S PARTICIPATION: None.

COMMITTEE REPORTS: None.

NEW PETITIONS:

Petition by Boston Tours, Inc., 56 Williams Street, Waltham, Massachusetts 02453 for renewal of Common Carrier License.

Petition by Andrew G. Eromin and Mary Eromin, both of 13 Waverly Road, Woburn, Massachusetts 01801 for a special permit pursuant to Section 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to alter and change a pre-existing non-conforming structure, by razing the same and constructing a new, two-family structure which will conform to all dimensional requirements excepting lot size at 7 Richmond Avenue.

Petition by Barry Callahan, 6 Valley Road, Woburn, Massachusetts 01801 for two special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows: 1. Pursuant to Section 5.1.29 to allow for a fast food establishment, and 2. Pursuant to Section 8.2.5 to allow for a 30% reduction in parking, both at 229 Main Street.

Petition by Michael DeVincent dba Custom Auto Recreation, 10D Roessler Road, Woburn, Massachusetts 01801 for a special permit pursuant to the 1985 Woburn Zoning Ordinances, as amended, Section 44 to allow automobile and truck repair garage, auto

restoration, auto body shop, full restorations on older cars, body work, bondo, fiberglass, sheet metal work, prime and paint work at 10D Roessler Road.

Petition by NSTAR Electric Company and Verizon New England, Inc. for a grant of right in a way to install conduit on Mishawum Road southeasterly approximately 280 feet southwest of Industrial Parkway, a distance of about 52 feet.

COMMUNICATIONS AND REPORTS:

A communication dated February 8, 2008 was received from Attorney John W. Giorgio, Kopelman and Paige, P.C., relative to solid waste flow control laws – new life.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated February 11, 2008 was received from His Honor the Mayor Thomas L. McLaughlin as follows:

Re: Conservation Commission – Scott W. Gatchell

By the power vested in me as Mayor of the City of Woburn, I hereby reappoint Scott W. Gatchell of 1 Lexington Street as a member of the Conservation Commission. Please be advised that Mr. Gatchell's term will expire on May 31, 2009.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED Be It Ordained by the City Council of the City of Woburn that Section 2-181(A) of the 1989 Woburn Municipal Code, as amended, be further amended by striking therefrom the words and numbers "Base Salary \$92,060.00" and inserting in their place the words and numbers "Base Salary \$77,640.00".

s/Alderman Galvin and Alderman Gonsalves

RESOLVED Whereas, West Street provides pedestrian access from Elm Street to Pearl Street; and

Whereas, there are currently no sidewalks along either side of West Street;

Now, Therefore, Be It Resolved that His Honor the Mayor instruct the Superintendent of Public Works to construct a sidewalk on one side of West Street as determined by a study to be conducted by the City Engineer to improve pedestrian safety; and

Be It Further Resolved that His Honor the Mayor instruct the Superintendent of Public Works to repave the entire length of West Street side to side from the intersection with Elm Street to the intersection with Pearl Street.

s/Alderman Raymond

Motion made and 2nd to ADJOURN.